

ESTTA Tracking number: **ESTTA603151**

Filing date: **05/08/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|------------------------|---|
| Proceeding | 92058448 |
| Party | Plaintiff Einstok Beer Company, L.P. |
| Correspondence Address | KEITH A WELTSCH SCULLY SCOTT MURPHY & PRESSER PC 400 GARDEN CITY PLAZA, SUITE 300 GARDEN CITY, NY 11530 UNITED STATES intprop@ssmp.com, kweltsch@ssmp.com, hmanthey@ssmp.com |
| Submission | Stipulated/Consent Motion to Extend |
| Filer's Name | Keith A. Weltsch |
| Filer's e-mail | intprop@ssmp.com, kweltsch@ssmp.com, hmanthey@ssmp.com |
| Signature | /Keith A. Weltsch/ |
| Date | 05/08/2014 |
| Attachments | Consent Motion for 2nd EOT.pdf(681126 bytes) |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of U.S. Reg. No. 4,395,373

Filed on January 7, 2013

For the Mark EINSTÖK

Registered on September 3, 2013

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| ----- | X | |
| | : | |
| Einstok Beer Company, L.P., | : | |
| | : | |
| Petitioner, | : | Cancellation No. 92/058,448 |
| | : | |
| v. | : | PETITIONER'S CONSENTED MOTION |
| | : | FOR EXTENSION OF TIME TO EXCHANGE |
| Cary Hensley, | : | INITIAL DISCLOSURES AND TO EXTEND |
| | : | THE REMAINING TRIAL DATES |
| Respondent. | : | |
| ----- | X | |

Petitioner in the above-identified proceeding, by and through its respective attorneys, hereby moves that the time for the parties to exchange initial disclosures be extended for a period of thirty (30) days until **June 7, 2014**. In particular, Petitioner and Respondent have engaged in significant substantive settlement discussions, and require additional time in order to determine if the parties will be able to resolve the matter in an amicable manner. Accordingly, Petitioner moves that all of the remaining trial dates be extended for a period of thirty (30) days to the following dates:

| | |
|--------------------------------------|-------------------|
| Initial Disclosures Due | June 7, 2014 |
| Expert Disclosures Due | October 6, 2014 |
| Discovery Closes | November 5, 2014 |
| Plaintiff's Pretrial Disclosures | December 20, 2014 |
| Plaintiff's 30-day Trial Period Ends | February 3, 2015 |
| Defendant's Pretrial Disclosures | February 18, 2015 |
| Defendant's 30-day Trial Period Ends | April 4, 2015 |

Plaintiff's Rebuttal Disclosures

April 19, 2015

Plaintiff's 15-day Rebuttal Period Ends

May 19, 2015

Respondent, through his counsel, has consented to this extension request, and has indicated that he has no objection thereto.

Respectfully submitted,

Einstok Beer Company, L.P.

Dated: May 8, 2014

By: 
Keith A. Weltsch
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COUNSEL FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing PETITIONER'S CONSENTED MOTION FOR EXTENSION OF TIME TO EXCHANGE INITIAL DISCLOSURES AND TO EXTEND THE REMAINING TRIAL DATES is being sent via e-mail (with consent) and first class mail to counsel for Respondent on this 8th day of May, 2014 as follows:

Bruce T. Margulies, Esq.
Neifeld IP Law PC
4813-B Eisenhower Ave.
Alexandria, VA 22314
bmargulies@neifeld.com


Keith A. Weltsch